

CERTIFICATION OF ENROLLMENT

SUBSTITUTE SENATE BILL 5729

59th Legislature
2005 Regular Session

Passed by the Senate March 12, 2005
YEAS 49 NAYS 0

President of the Senate

Passed by the House April 12, 2005
YEAS 98 NAYS 0

Speaker of the House of Representatives

Approved

Governor of the State of Washington

CERTIFICATE

I, Thomas Hoemann, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SUBSTITUTE SENATE BILL 5729** as passed by the Senate and the House of Representatives on the dates hereon set forth.

Secretary

FILED

**Secretary of State
State of Washington**

SUBSTITUTE SENATE BILL 5729

Passed Legislature - 2005 Regular Session

State of Washington 59th Legislature 2005 Regular Session

By Senate Committee on Transportation (originally sponsored by Senators Rockefeller, Oke, Regala, Spanel, Sheldon, Shin, Poulsen, Jacobsen and Kohl-Welles)

READ FIRST TIME 03/04/05.

1 AN ACT Relating to ferry fares; and amending RCW 47.60.326.

2 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

3 **Sec. 1.** RCW 47.60.326 and 2003 c 374 s 4 are each amended to read
4 as follows:

5 (1) In order to maintain an adequate, fair, and economically sound
6 schedule of charges for the transportation of passengers, vehicles, and
7 commodities on the Washington state ferries, the department of
8 transportation each year shall conduct a full review of such charges.

9 (2) Prior to February 1st of each odd-numbered year the department
10 shall transmit to the transportation commission a report of its review
11 together with its recommendations for the revision of a schedule of
12 charges for the ensuing biennium. The commission on or before July 1st
13 of that year shall adopt as a rule, in the manner provided by the
14 Washington administrative procedure act, a schedule of charges for the
15 Washington state ferries for the ensuing biennium commencing July 1st.
16 The schedule may initially be adopted as an emergency rule if necessary
17 to take effect on, or as near as possible to, July 1st.

18 (3) The department in making its review and formulating

1 recommendations and the commission in adopting a schedule of charges
2 may consider any of the following factors:

3 (a) The amount of subsidy available to the ferry system for
4 maintenance and operation;

5 (b) The time and distance of ferry runs;

6 (c) The maintenance and operation costs for ferry runs with a
7 proper adjustment for higher costs of operating outmoded or less
8 efficient equipment;

9 (d) The efficient distribution of traffic between cross-sound
10 routes;

11 (e) The desirability of reasonable (~~commutation~~) rates for
12 persons using the ferry system to commute daily to work and other
13 frequent users who live in ferry-dependent communities;

14 (f) The effect of proposed fares in increasing walk-on and
15 vehicular passenger use;

16 (g) The effect of proposed fares in promoting all types of ferry
17 use during nonpeak periods;

18 (h) The estimated revenues that are projected to be earned by the
19 ferry system from commercial advertisements, parking, contracts,
20 leases, and other sources;

21 (i) The prepurchase of multiple fares, whether for a single rider
22 or multiple riders;

23 (j) Such other factors as prudent managers of a major ferry system
24 would consider.

25 (4) If at any time during the biennium it appears that projected
26 revenues from the Puget Sound ferry operations account and any other
27 operating subsidy available to the Washington state ferries will be
28 less than the projected total cost of maintenance and operation of the
29 Washington state ferries for the biennium, the department shall
30 forthwith undertake a review of its schedule of charges to ascertain
31 whether or not the schedule of charges should be revised. The
32 department shall, upon completion of its review report, submit its
33 recommendation to the transportation commission which may in its sound
34 discretion revise the schedule of charges as required to meet necessary
35 maintenance and operation expenditures of the ferry system for the
36 biennium or may defer action until the regular annual review and
37 revision of ferry charges as provided in subsection (2) of this
38 section.

1 (5) The provisions of RCW 47.60.330 relating to public
2 participation shall apply to the process of revising ferry tolls under
3 this section.

4 (6) Under RCW 43.135.055, the transportation commission may
5 increase ferry tolls included in the schedule of charges adopted under
6 this section by a percentage that exceeds the fiscal growth factor.

7 (7) Notwithstanding the provisions of this section and chapter
8 81.28 RCW, and using sound business judgment, the chief executive
9 officer of the ferry system may authorize the use of promotional,
10 discounted, and special event fares to the general public and
11 commercial enterprises for the purpose of maximizing capacity use and
12 the revenues collected by the ferry system. The department shall
13 report to the transportation commission a summary of the promotional,
14 discounted, and special event fares offered during each fiscal year and
15 the financial results from these activities.

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